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PRE-APPEAL BRIEF REQUEST FOR REVIEW		
	Application #	09/682,775
	Confirmation #	4210
	Filing Date	October 18, 2001
	First Inventor	HARMS
	Art Unit	2191
	Examiner	Vo, Ted T.
	Docket #	P08629US00/RFH

Applicant requests review of the Final Rejection mailed October 23, 2006 and the Advisory Action of February 6, 2007 in the above-identified application. No amendments are being filed with this request.

This request is being filed with a NOTICE OF APPEAL.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the Attorney of Record.

Date: March 23, 2007

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REMARKS AND ARGUMENTS IN SUPPORT OF PRE-APPEAL BRIEF REQUEST FOR REVIEW

Claims 1-26 and 29-32 are pending in the present application. All claims stand rejected on prior art grounds. Specifically, claims 1-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Microsoft Systems Journal*, "Under the Hood," 9-1996 (hereinafter "Microsoft"). Claims 17-21, 23-26 and 29-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by online reference, "Windows '98-USB Troubleshooting Reference" (hereinafter "Windows '98"). Claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Windows '98.

It is respectfully submitted that Microsoft does not anticipate claims 1-16, that Windows '98 does not anticipate claims 17-21, 23-26 and 29-32, and that Windows '98 does not make claim 23 obvious, as discussed in the Remarks to the Request for Reconsideration filed December 22, 2006 and the Remarks to the Amendment filed July 27, 2006, and as further discussed below.

The claims of the present application are directed to a novel method and apparatus for automatically removing entry of a device from a computer system identified by the computer system as not being properly identified, using a series of steps which, as recited by claim 1, include scanning configuration data using executable computer code to determine an entry for a device not properly identified by the system, and removing automatically, without user input, the entry for the device for the configuration data, after determining that the device is not properly identified.

Microsoft fails to teach or suggest removing entry of a device from a computer system which is not properly identified. To the contrary, Microsoft discloses a method for removing entry of a filename from a computer system registry when the corresponding file is not found on the hard drive of a computer system. It is respectfully submitted that a filename is not equivalent to, and would not be understood by one of ordinary skill in the art as being, a device which, e.g., includes, but is not limited to, peripherals, disk drives, printers, USB devices, etc.

In response to the question raised in the Advisory Action, viz., "How can a generic claim with few lines be in sharp contrast?!", it is respectfully submitted that Microsoft discloses a method for removing entry of a filename from a computer system

registry when the corresponding file is not found on the hard drive of the computer system, and this has absolutely nothing to do with removing entry of a device from a computer system which is not properly identified. Therefore, the present method is in no way anticipated by or obvious from Microsoft.

Further, with regard to claims 1-16, an important novel aspect of the present invention relates to a series of steps which are performed together, automatically, and, in general, include exhaustive searching of all relevant data followed by deleting all necessary data in order to effectuate the goal of the method, which is to effectively remove entry of a device. For example, claim 2 recites determining a vendor of a device, scanning all subkeys in the configuration data for all devices associated with the vendor, and deleting all keys associated with the device associated with the vendor automatically, without user input, after the subkeys associated with the vendor have been located during the scanning. Nowhere does Microsoft teach or suggest this series of steps, let alone all of the individual steps. Although Microsoft may teach searching for configuration data relating to a vendor, nowhere does Microsoft teach or suggest scanning all subkeys for all devices associated with the vendor, or deleting all keys associated with a vendor.

Moreover, even if it is assumed, *arguendo*, that one of ordinary skill in the art would be somehow motivated to perform this series of steps, Microsoft fails to teach or suggest the claimed automated method which results in a computer system which is not achievable by a manual act (contrary to what is alleged in the final rejection). More specifically, contrary to the allegation that the present method is merely an automated method that produces the same result as a manual act, citing *In re Venner*, 120 U.S.P.Q. [192], the present method eliminates numerous and tedious manual acts by a user and avoids exhaustive searching and potential human error in attempting to identify all necessary entries. Therefore, the present method does not produce the same result as would be achieved manually in terms of time efficiency and effectiveness. (For a further discussion, see the After Final Request for Reconsideration filed December 22, 2006, page 2, paragraph 1-page 3.)

Further, although the Advisory Action alleges that the registry editor of Microsoft's Windows operating system allows a user to perform the claimed steps, the

Examiner has failed to provide any documentation regarding relevant aspects of the registry editor of Microsoft's Windows operating system. Further, even if the registry editor of Microsoft's Windows operating system can perform the individual steps claimed, it is respectfully submitted that merely disclosing individual steps of the claimed method does not make the combination of steps obvious. In other words, even if one or more of the claimed steps were shown to be known in the art, this does not, in and of itself, make the claimed combination of such steps obvious.

(For a further discussion distinguishing claims 1-16 from Microsoft, see the After Final Request for Reconsideration, page 3, paragraph 2-page 7, paragraph 2.)

With regard to the rejection of claims 17-21, 23-26 and 29-32 under 35 U.S.C. § 102(b) in view of Windows '98, it is respectfully submitted that Windows '98 fails to teach or suggest the claimed automated system for removing entry of a device. As discussed above with respect to the rejection of claim 1 based on Microsoft, the patentability of claim 17 resides, in part, in the elimination of steps and streamlining of the removal of a device, and it is respectfully submitted that, for similar reasons, claim 1 is patentably distinct from, and non-obvious in view of, Windows '98.

With regard to dependent claim 18, it is respectfully submitted that Windows '98 fails to teach or suggest determining a vendor of a device or disclose removing all registry keys, according to the vendor of a predetermined device. Further, it is respectfully submitted that Windows '98 fails to provide any teaching or suggestion of any value or advantage to deleting all registry keys associated with a vendor.

With regard to dependent claim 19, along with claims 17, 20, 21 and 23-25, it is respectfully submitted that Windows '98 fails to disclose anything with regard to a user modifying any text in any file, let alone in an initialization file, without a user manually searching the registry key or modifying the configuration file to indicate removal of the device, as claimed.

Although the final Office Action included "a terms definition section" from the line website, Wikipedia.org, which included various terms, including configuration files, Windows registry, manual editing, command line editing, code editing, etc., it is respectfully submitted that reliance on a Wikipedia entry as an authoritative source is inappropriate in an official Office Action. In this regard, scholars agree that Wikipedia

cannot and should not be used in preparing scholarly work (see, e.g., College "Wikipedia Not Source for Papers," Middlebury, D.T.A.P., February 13, 2007, an AP story which discusses the fact that Middlebury College has determined that history students are no longer allowed to use Wikipedia in preparing class assignments and that the Middlebury College history department has adopted a policy which says that students cannot cite Wikipedia as an authoritative source). Therefore, it is respectfully submitted that no authoritative weight should be given to the definitions and discussions based on the Wikipedia entries. Moreover, it is not seen that these definitions and discussions render the claims obvious.

With regard to claims 29-32, Windows '98 fails to teach or suggest scanning configuration data to determine an entry for a device not properly identified by the system, because Windows '98 presumes one already "knows" which device is not properly identified (in this case, a USB controller). Further, Windows '98 fails to teach or suggest any method of scanning configuration data to determine entry of a device not properly identified by the system.

With regard to claim 30, Windows '98 does not teach a method for automatically removing entry of an unknown device by scanning a registry to determine whether a USB printer is properly identified by the system. Although Windows '98 teaches deleting the entry of a USB device when Windows '98, or a user, "presumes" that the device is not properly identified by a system, nowhere does Windows '98 teach scanning a registry to make the determination claimed. Moreover, although the final Office Action cites the first paragraph of Windows '98 as teaching this feature, it is respectfully pointed out that paragraph 1 states that "If you encounter problems with a USB device not being recognized, or drivers not being found in Windows '98 on your notebook, the following reference information may assist you in uncovering the problem" (Windows '98, emphasis added). Therefore, Windows '98 does not teach or suggest the claimed determination feature. (For a further discussion, see Request for Reconsideration, page 8, paragraph 3-page 9.)

Finally, with regard to claim 22, it is respectfully submitted that Windows '98 fails to teach or suggest the claimed modification of an initialization file to modify the text of any file, let alone an initialization file, as claimed.

Based on the foregoing, and on the prior remarks and comments made, it is respectfully requested that the rejections of the claims be withdrawn.

END REMARKS